

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
TUESDAY, SEPTEMBER 24, 2002**

SPECIAL ORDER OF BUSINESS

ITEM-S500: Purple Ribbon Campaign.

(Continued from the meeting of September 16, 2002, Item 33, due to the absence of Councilmember Maienschein.)

COUNCILMEMBER MAIENSCHIEIN'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-311)

Commending the Purple Ribbon Campaign for its efforts to create a safe environment for the children of San Diego, and proclaiming August 23 through September 23, 2002 as "Purple Ribbon Month" in the City of San Diego.

SUPPORTING INFORMATION:

On August 23, 2002, the City of San Diego, San Diego Fire & Life Safety Services and San Diego Medical Services Enterprise, joined with 4 R Kids Sake to kick off the "Purple Ribbon Campaign" in the City of San Diego.

Summer is a time for families to gather to enjoy recreational time together, it is also a time for parents and caregivers to run errands in hot weather, sometimes forgetting their most important cargo, their child in the back seat. Summer is also a time for children to be outdoors playing and riding bicycles on sidewalks and driveways, it is also a time for extreme caution when backing-up vehicles to prevent accidentally hitting an unseen child.

San Diego Fire & Life Safety Services and San Diego Medical Services Enterprise are dedicated to protecting our children from preventable injuries in and around cars, through awareness, education, legislation and prevention.

SPECIAL ORDER OF BUSINESS (Continued):

ITEM-S500: (Continued)

SUPPORTING INFORMATION: (Continued)

It takes an entire community to keep our children safe from preventable injuries in and around cars; parents and caregivers, fire and law enforcement, schools, hospitals, health care workers, child care providers, libraries, community-based organizations, businesses, everyone that influences our children's safety, must come together to protect our children.

The "Purple Ribbon Campaign" is intended to educate and raise public awareness of the dangers of leaving a child unattended in or around a car through the wearing of purple lapel ribbons, purple ribbons tied on trees, neighborhood mailboxes and vehicle antennas, the distribution and posting of flyers and posters; PSA billboards and safety presentations to reach our goal of reducing and ultimately eliminating children being left unattended in and around cars and the serious injuries and sometimes death that result.

Therefore, be it resolved that Council of the City of San Diego, on behalf of the citizens of San Diego, commends the Purple Ribbon Campaign for its efforts to create a safe environment for the children of San Diego, and hereby proclaims August 23 through September 23, 2002 as "Purple Ribbon Month" in the City of San Diego.

Maienschein/BE

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

*ITEM-S501: Spousal Abuser Prosecution Program Grant.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-269)

Authorizing the City Attorney to apply for, accept and expend a \$71,274 Spousal Abuser Prosecution Program (SAPP) Grant from the State of California Department of Justice;

Declaring that the City agrees to hold the Department of Justice and the State of California harmless from any liability arising out of the performance of the grant agreement, including court actions or damages, agrees that the City will provide the necessary match of twenty percent (20%) and certifies that the City will not use the grant to supplant local expenditures.

SUPPORTING INFORMATION:

On November 13, 1994, the City Attorney's Child Abuse/Domestic Violence Unit received notification that they had been awarded a \$60,000 grant from the California Department of Justice for the prosecution of domestic violence cases. The money has been used to enhance the advocacy and investigative efforts of the Unit. On March 15, 1996 we were notified that a second year of funding had been approved. On June 28, 1996 we were notified that a third year of funding had been approved. On September 9, 1997 we were notified that a fourth year of funding had been approved. On September 15, 1998 we were notified that a fifth year of funding has been approved. On August 9, 1999 we were notified that a sixth year of funding had been approved. Recently we have been notified that a seventh year of funding has been approved. The required 20 percent match will be provided by existing staff.

The grant award is contingent upon City Council approval. The proposed resolution authorizes the City Attorney to apply for and enter into a grant agreement with the Department of Justice. It also indemnifies the Department of Justice from any civil suits which might arise from the City Attorney's use of the funds and certifies that the City will not use the grant to supplant local expenditures.

Swett/MAS

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:(Continued):

*ITEM-S502: City Practices for Underground Utility Conversion.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-384)

Declaring that, in the event that the City proposes to assume responsibility for management of the underground conversion projects as provided in Section 13 of the MOU, the City shall have a publicly noticed hearing within ninety days after the City provides such notification to SDG&E;

Declaring that, in the event the City assumes an oversight role for these underground conversion projects, the City will continue to abide by the contract specifications and industry standards used by SDG&E, including utilization of a workforce with qualifications equal to those required by SDG&E.

CITY MANAGER SUPPORTING INFORMATION:

On January 28, 2002 the City Council approved ordinances relative to the SDG&E franchise. A provision of these actions provided that SDG&E would implement an electric surcharge and agree to other actions to provide funding and necessary mechanisms to ensure undergrounding of utility lines occur at a yearly rate equal to 4.5% of gross electric revenues- subject to prior approval of the California Public Utilities Commission.

The proposed increase in undergrounding approved by the City Council would increase the undergrounding of electric lines from the current \$10 million dollar per year level within the structure of CPUC Rule 20, to approximately \$36 million per year, to be performed as set forth in a Memorandum of Understanding (MOU) between the City and SDG&E, dated December 19, 2001.

As part of the MOU, it was established that SDG&E would continue to coordinate and oversee the construction of these additional undergrounding projects funded from the surcharge revenues received by the City.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:(Continued):

* ITEM-S502: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

However, at the City's option and after appropriate notice to SDG&E, Section 13 of the MOU provides that the City may elect to assume the responsibility for the coordination and management of these underground conversion projects.

SDG&E has committed that all additional undergrounding activities will continue to be done in compliance with all applicable federal, state, and local laws, rules and regulations; consistent with its requirement as a utility regulated by the California Public Utilities Commission; and also consistent with its safety and reliability standards, and its contracting practices.

The City Manager believes that it is important that the City adopt a resolution that would ensure, should the City take over the management and coordination of these projects, that it would do so without loss of these same commitments. Further, that the City would give general public notice of its intentions to replace SDG&E in its oversight role within 90 days of doing so.

Loveland/Belock/PB

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:(Continued):

* ITEM-S503: Appointments to the Wetlands Advisory Board.

(See memorandum from Mayor Murphy dated 09/13/2002 with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-368)

Council confirmation of the following appointments and reappointments by the Mayor to serve as members of the Wetlands Advisory Board for terms indicated:

<u>Name</u>	<u>Term Ending</u>	<u>Category</u>
Michel A. Boudrias (reappointment)	July 1, 2004	Vernal Pools Expert
Paul K. Dayton (reappointment)	July 1, 2004	Wetlands Scientist
Lisa A. Levin (reappointment)	July 1, 2005	Wetlands Scientist
Eric Bowlby	July 1, 2004	Environmental Organization
Vernon C. Brinkley	July 1, 2005	Environmental Organization
James A. Peugh - Chair (reappointment)	July 1, 2005	Environmental Organization
Donna Jones	July 1, 2005	Land Use Expert
Diana Saucedo	July 1, 2004	Land Use Expert
James E. Whalen -Vice Chair (reappointment)	July 1, 2005	Landowners Representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS:(Continued):

* ITEM-S504: Cabrillo Festival Week, September 22 - 29, 2002.

(Point Loma Community Area. District-2.)

COUNCILMEMBER WEAR'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-372)

Proclaiming September 22 through 29, 2002 to be "Cabrillo Festival Week" in the City of San Diego, and urging our citizens to join the commemoration of this historic event.

ADOPTION AGENDA, HEARINGS

NOTICED HEARINGS:

ITEM-S505: Amendment to the City of San Diego Nondisposal Facility Element.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2003-336)

Adopting the Fifth Amendment to the City of San Diego Nondisposal Facility Element;

Authorizing the City Manager to submit the Fifth Amendment to the California Integrated Waste Management Board, in accordance with the California Public Resources Code.

CITY MANAGER SUPPORTING INFORMATION:

The Nondisposal Facility Element (NDFE) is a general description of the solid waste facilities needed to implement the City's source reduction, recycling, and composting activities. The City's original NDFE was approved in 1994. The requirement to prepare an NDFE stems from the California Integrated Waste Management Act of 1989. AB-939 requires each city and county within California to prepare and implement Source Reduction and Recycling Elements (SRREs) that will reduce wastes disposed of in landfills by 50 percent by the year 2000.

In 1992, the requirement to prepare an NDFE describing new or modified solid waste facilities needed by cities and counties to accomplish the AB-939 mandated waste diversion was added to the Public Resources Code (PRC).

The primary purpose of this fifth amendment to the NDFE is to add the Miramar Wholesale Nursery facility to the document. Using the amendment as an opportunity, staff updated minor information throughout the document.

ADOPTION AGENDA, HEARINGS (Continued)

NOTICED HEARINGS:(Continued):

ITEM-S505: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Information regarding Organic Recycling West and the EDCO Recovery and Transfer Station was updated to reflect current permits and agreements. The tons of organic and inorganic waste generated in San Diego were updated with data from more recent studies. An extensive list of private recycling facilities that the City promotes was updated to reflect the addition of new businesses as well as the deletion of companies no longer in operation. The list of private scrap metal recycling facilities the City promotes was made current in the same manner.

The NDFE Document was created in a format not suitable for the strikeout/underline format thus the necessity for the above description of changes.

SANDAG, serving as the Local Task Force for AB-939 issues in the region, recommends the approval of this amendment of the NDFE.

FISCAL IMPACT: None.

Loveland/Hays/LFW